

Part 12-18-14 The Ford Papers

PRESIDENT FORD'S decision about the future of his public papers comes as a bit of sunshine in a very murky field. Mr. Ford could have postponed any action on the grounds that the policies governing top officials' records are being studied by a national commission and the litigation over the Nixon tapes and papers is still going on. Yet all this controversy points toward one prudent rule: that the papers of Presidents should be maintained as public property in the custody of dispassionate archivists. That is precisely the result that Mr. Ford has brought about by his agreement with the United States Archivist and the University of Michigan.

Judging by the agreement, Mr. Ford is one President who has accepted with grace and good humor not just the loss of a close and hard-fought election but the consequent loss, so painful to other departing Presidents, of the powers and prerogatives of the nation's highest office. The only things he has declined to leave to the Archives are family documents such as letters and financial records; personal effects, including "pipes and pipe accessories, and skiing, golf and tennis equipment"; some photographs; his coin and stamp collections, and an assortment of keepsakes, including "my painting of the Friendship Fire Engine Company of Alexandria." He is making no attempt to retain control over the documentary record of his White House years. Indeed, he has gone further than any of his predecessors by transferring his materials to the Archives before leaving office—thus denying himself any chance to shred or sanitize parts of the record after Jan. 20.

In the same modest vein, Mr. Ford seems to have little interest in building a lavish library as a personal showcase or monument. His memorabilia, and presumably most of the tourist traffic that exhibits about past Presidents generally attract, will go to a museum to be built by friends in Grand Rapids. The future Ford library at the University of Michigan seems to be regarded primarily as a scholarly resource for those interested in the record of his 28 years as representative, Vice President and President.

The most controversial aspect of the agreement is likely to be its provisions on public access to the Ford files. Everything is to be available to Mr. Ford and to

any incumbent President. Much of the material is to be opened for general use as soon as it has been indexed and organized. There are restrictions, though, on the most sensitive—and most intriguing—types of documents. These include materials that are classified or otherwise kept secret by law; material on investigations, appointments to office and personnel matters; "communications made in confidence" about official business; information whose divulgence "might prejudice the conduct of foreign relations" or "would adversely affect" the country's security, and information "that might be used to harass or injure any living person" or interfere with an individual's rights.

Judgments about specific documents will be made by professional archivists, rather than Mr. Ford, and the embargoes are to last, generally, only until 1990. Even so, exceptions couched in those broad terms are bound to drive some people up the wall—or into court. We would not rule out the possibility that we might contest some future denial of access ourselves. At the same time, it should be recognized that access is perhaps the hardest problem in this whole difficult field. Demands that every paper of a President be made public at once are self-defeating in the long run. There is no better way to guarantee that sensitive communications between chief executives and their advisers either will not be written down at all or will be destroyed before anything is turned over to the archivists. Thus impatience can be the enemy of history. Mr. Ford's 13-year embargo is not perfect; many archivists would prefer a 10-year delay. Even so, Mr. Ford's freeze is shorter than those imposed by other recent Presidents.

Overall, the Ford agreement reflects a willingness to accept the judgments of history and a recognition that official records are a national resource that nobody, including a President, should trifle with. Those attributes are noteworthy only because Mr. Nixon has pursued such a different and disruptive course. According to his staff, President Ford is not trying to set precedents. Yet his initiative is bound to be helpful to President-elect Carter, the national commission and Congress. It should also be cautionary for anyone in the Ford administration who might be tempted to squirrel away important records for exclusive personal use.